

## **ADVANCED PRACTICE NURSE REQUIREMENTS & GUIDELINES**

### **INTRODUCTION**

The information in this section is a guide to prescribing controlled substances in Wisconsin. The material presented in this section will be included in the Wisconsin jurisprudence examination for advanced practice nurses applying for an advanced practice nurse prescriber certificate from the Wisconsin Department of Regulation and Licensing. This section provides a summary of key aspects of federal controlled substances laws, guidelines for various prescribing practices, and Wisconsin requirements regarding prescriptive practice; reviewing it is not a substitute for consulting the appropriate law or agency for answers to specific questions.

The proper use of controlled substances is essential to the health and welfare of the public. The abuse of controlled substances is a serious social and health problem throughout the United States. As a registered nurse and advanced practice nurse prescriber, you share the responsibility for preventing drug misuse, abuse and diversion.

- You have an ethical responsibility to prescribe controlled substances appropriately, and to guard against their abuse while assuring their availability to your patients.
- You have a professional and legal responsibility to protect your practice from becoming an easy target for unlawful attempts to divert drugs, thus obviating the possibility of enforcement or disciplinary actions against you and loss of professional esteem.
- You have a social responsibility to help protect society from drug abuse.

### **INFORMING THE D.E.A. OF PRACTICE LOCATION**

According to 1301.23 of the federal drug code, any change in principal practice location needs to be reported to the Federal Drug Enforcement Administration. Also, in order to prescribe, a D.E.A. registration number is required.

### **PRESCRIBING CONTROLLED SUBSTANCES FOR FAMILY MEMBERS**

According to Opinion 8.19: Self-Treatment or Treatment of Immediate Family Members from the American Medical Association Council on Ethical and Judicial Affairs, it is not appropriate for APNP's to prescribe controlled substances to immediate family members.

### **PRESCRIBING NARCOTICS FOR DRUG DEPENDENCY**

#### **HOW SHOULD I DEAL WITH PATIENTS WHO ARE DRUG ABUSERS?**

Prescribing a controlled substance only for a person's drug abuse problem is not a legitimate medical practice, and is unlawful according to 1306.04(c) of the federal drug enforcement code. If you encounter a person seeking controlled substances for an addiction, you should consider confronting the person or family and arranging for appropriate detoxification, treatment or counseling services.

## **DETERMINING LEGITIMACY OF PATIENT STORIES**

### **CON ARTISTS**

It is a felony under state and federal law for a person to acquire a controlled substance by misrepresentation, fraud, forgery, or deception, so you should immediately report suspicious activities to the local police, and alert your colleagues to be aware of possible deceptive practices.

## **SECURING BLANK PRESCRIPTION FORMS**

Forgery can be a major source of drug diversion. Prescription orders are forged on blank prescription forms stolen from physicians' offices, nurses' offices, hospitals, and clinics. Whole pads or single sheets may be taken, especially if they are in plain view. Forgers will alter a legitimate prescription order by changing the renewal instructions or quantity to be dispensed, by erasing the name of the drug prescribed and replacing it with the name of a controlled substance and by supplying a DEA registration number.

Prescription pads are extremely valuable and should be treated appropriately. Consider having two types of pads, one labeled "not for controlled substances" and the other "for controlled substances only." Any pads used for controlled substances should be concealed or secured. Improve the security of prescription pads by following these rules:

- Store all unused prescription pads in a safe place.
- Minimize the number of pads in use at one time.
- Have prescription blanks numbered consecutively when printed to more easily identify if any are missing.
- Never sign prescription blanks in advance.
- Prescriptions should be written in ink or indelible pencil or be typewritten.
- Write out the amount of medication prescribed in addition to using an Arabic or Roman numerals.
- Do not use your prescription blanks for writing notes or memos.
- Do not leave prescription pads in unattended examining rooms, office areas, or in your bag or car where they can be easily stolen.

## **SCHEDULE II VERIFICATION BY PHARMACISTS**

According to Chapter N8 of the Board of Nursing, it is unprofessional conduct to prescribe any amphetamine, sympathomimetic amine drug or compound designated as a schedule II controlled substance except for the treatment of narcolepsy, hyperkinesia, drug-induced brain dysfunction, epilepsy, depression shown to be refractory to other therapeutic modalities, or as an adjunct to opioid analgesic compounds for the treatment of cancer-related pain.

Based on the above rule, Wisconsin pharmacists are likely to verify prescription orders for most Schedule II stimulants with the prescriber before dispensing them.